



1998

SUMMARY OF

TRANSPORTATION

LEGISLATION

Senate Transportation Committee
House Transportation Policy & Budget Committee
April 1998

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**SENATE TRANSPORTATION COMMITTEE/
HOUSE TRANSPORTATION POLICY & BUDGET COMMITTEE**

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SHB 1211	DeBolt, Fisher, K. Schmidt (WTSC request)	<p>Accident Report Availability - The Washington Traffic Safety Commission (WTSC) is added to the list of agencies which are to receive accident reports and analyses from the Washington State Patrol (WSP), as well as authorizing other public entities to receive the information at the discretion of the chief of the WSP.</p> <p>For further information contact: Jerry Long, 786-7306</p>	C 169 L 98
SHB 1479	Zellinsky, Quall	<p>Vehicle Impound and Redemption - Motor vehicle dealers would have been allowed to use a transitional ownership record to perfect a security interest when the certificate of ownership is not available. Filing a vehicle theft report with a law enforcement agency would have relieved the last registered owner of criminal liability for failing to redeem the vehicle. The last registered owner would have remained liable for the impoundment costs, unless the owner filed a report of sale prior to the impound.</p> <p>For further information contact: Jennifer Hanlon, 786-7316</p>	S Rules 2
HB 1487 (cf SB 5699)	K. Schmidt, Fisher, Mitchell	<p>Transportation Planning (LOS) - This bill requires local jurisdictions to include state transportation facilities in their comprehensive plans, which was an oversight in the original Growth Management Act (GMA). This bill clarifies who sets the level of service for state routes and state ferries. This bill defines what facilities are to be "state significant." This clarifies the planning and siting process by defining state significant facilities as essential public facilities under GMA.</p> <p>For further information contact: Ashley Probart, 786-7319</p>	C 171 L 98

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
2SHB 1501 (cf SSB 5719)	Robertson, Scott, Mielke (DOL request)	<p>Driver's License Statutes - This bill makes several technical corrections to driver's license statutes:</p> <ul style="list-style-type: none"> • Clarifies that reinstatement of a juvenile's privilege to drive is subject to consecutive running of statutory revocation periods; • Abolishes requirement to get second probationary license while first one is still in effect; • Makes it a crime for a minor with a blood alcohol content of .02 or more to have physical control of a motor vehicle; • Amends process for driving under the influence (DUI) suspension appeal; • Requires proof to change name on driver's license. <p>For further information contact: Paul Neal, 786-7315</p>	C 41 L 98
ESHB 1553	Skinner, Hankins, Murray	<p>City/Town Transportation Funding - This bill would have authorized certain local option transportation taxes and fees for use by cities and towns. Cities could have imposed a local option vehicle registration fee of up to \$15, so long as the county wasn't already imposing the fee. Upon voter approval, the cities of Seattle and Vancouver would have been authorized to impose a city road levy, not to exceed 50 cents per \$1,000 property value. Finally, a city or town would have been authorized to increase the local sales tax rate by one-tenth of a percent if approved by a majority of voters. The proceeds from all of these local option taxes were to be used for transportation purposes.</p> <p>For further information contact: Jeff Doyle, 786-7322</p>	H Passed
SHB 1786	K. Schmidt, Fisher, Murray	<p>Transportation Improvement Board Report - Starting February 1, 2000, the Transportation Improvement Board (TIB) would have been required to submit lists of proposed projects to be funded in the agency's budget request for legislative review prior to enactment of an appropriation.</p> <p>Full Veto: The Governor vetoed the entire bill, reasoning that the bill would have threatened the integrity of the prioritization process by interjecting a layer of legislative screening of local projects which are already adequately screened by the TIB, a board which includes local elected officials.</p> <p>For further information contact: Gary Lebow, 786-7304</p>	Full Veto

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
HB 2141 (cf SB 5961)	Cairnes, Scott (WSP request)	<p>Terminal Safety Audits - A terminal audit is a truck equipment, safety and records inspection conducted at a carrier's place of business. Administrative penalties are increased for violations discovered during a terminal audit from \$100 to \$500 for (1) drug and alcohol use and testing, (2) disqualifications of drivers, and (3) moving a vehicle that has been placed out of service before the repairs are made.</p> <p>For further information contact: Mary McLaughlin, 786-7309</p>	C 172 L 98
SHB 2166	Huff, K. Schmidt, Clements	<p>Coordinated Transportation Services - The Legislature declares its intent to coordinate transportation services and programs to achieve increased efficiencies, resulting in expansion of services to a greater number of persons with special transportation needs.</p> <p>The Agency Council on Coordinated Transportation (ACCT) is created. The council consists of nine voting members and eight nonvoting legislative members. The nine voting members are the Secretary of Transportation, who serves as chair; the Secretary of the Department of Social and Health Services; the Superintendent of Public Instruction; and six members, serving two-year terms,</p>	C 173 L 98

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SHB 2166 (cont.)	Huff, K. Schmidt, Clements	<p>appointed by the Governor, and representing consumers of special needs transportation, pupil transportation, the Community Transportation Association of the Northwest, the Community Action Council Association, and the Washington State Transit Association.</p> <p>Four members from the House of Representatives and four members from the Senate, representing each caucus and the Transportation, House Appropriations and Senate Ways and Means Committees, are appointed by the Speaker of the House and the President of the Senate respectively. The council is classified as a Class 1 board, which restricts reimbursement of members to expenses only.</p> <p>ACCT is responsible for: (1) developing standards and strategies for coordinating special needs transportation; (2) identifying, developing, funding (as resources are available), and monitoring demonstration projects; (3) identifying barriers to coordinated transportation; (4) recommending statutory changes to the Legislature to assist in coordinated transportation; and (5) working with the Office of Financial Management (OFM) to make necessary changes for identification of transportation costs in executive agency budgets.</p> <p>The council is directed to report to the Legislature on December 1, 1998, and every two years thereafter on council activities, including results of demonstration projects and associated benefits. The DOT is to provide support for the council. The council is dissolved on June 30, 2003.</p> <p>The Utilities & Transportation Commission (UTC) authority to regulate fares charged by paratransit providers is eliminated.</p> <p>For further information contact: Gary Lebow, 786-7304</p>	C 173 L 98
ESHB 2417	Pennington, Mielke, Hatfield	<p>Local Vehicle License Fees - Cities in Cowlitz County are allowed to impose a \$15 vehicle registration fee upon city residents. The fee is to be approved by the voters, and used to fund a specific transportation project. If the county later decides to impose the fee, the city fee is reduced by an amount to ensure that no citizen pays more than \$15.</p> <p>For further information contact: Jeff Doyle, 786-7322</p>	C 281 L 98

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
ESHB 2439 (cf SB 6222)	D. Sommers, Costa, Benson	<p>Traffic Safety Education - The WTSC must work with stakeholders to develop a safety education program. Drivers responsible for a crash resulting in a fatality must be retested by the Department of Licensing (DOL).</p> <p>For further information contact: Jennifer Hanlon, 786-7316</p>	C 165 L 98
EHB 2501	Zellinsky, Robertson, L. Thomas	<p>Wholesale Auto Auctions - Wholesale auto auctions are defined in statute. Auctions are permitted to sell vehicles that do not meet safety standards to licensed motor vehicle dealers.</p> <p>Partial Veto: The Governor vetoed all sections of the bill containing the definition of “wholesale motor vehicle auction dealer,” which, he felt, was technically flawed. The definition would have included all firms, wholesale and retail, offering motor vehicles for sale by competitive bidding at a permanent location and with regularly scheduled dates. The Governor felt this would have unintentionally forced such retailers, as well as wholesalers, to sell only to motor vehicle dealers and vehicle wreckers, thus limiting the options available to consumers and likely resulting in some dealers operating illegally.</p> <p>For further information contact: Jennifer Hanlon, 786-7316</p>	C 282 L 98 PV
SHB 2525 (cf SSB 6440)	Backlund, Fisher, K. Schmidt (DOT request)	<p>Lightweight Tire Studs - This bill would have required the use of lightweight studs in studded snow tires beginning in the year 2004. The bill would have allowed this requirement to be phased in over the next six years, and would have allowed wholesalers to deplete their existing inventory of heavier studs before the law would take effect.</p> <p>For further information contact: Jeff Doyle, 786-7322</p>	S Rules 2 G
HB 2582 (cf SB 6315)	Mitchell, Fisher, Hankins (TIB request)	<p>Transportation Improvement Board Bond Retirement Account -References to the highway bond retirement account contained within Transportation Improvement Board (TIB) bond authorizations would have been changed to the TIB bond retirement account. The TIB bond retirement account would have been added to the list of accounts that retain 80 percent of deposit interest earnings.</p> <p>For further information contact: Gary Lebow, 786-7304</p>	S 2 nd Reading

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
ESHB 2615 (cf SB 6461)	K. Schmidt, Fisher, Robertson (Gov request)	<p>Strategic Freight Investments - The freight mobility strategic investment program is created. It is administered by a board of 12 representatives from the public and private sector. The program is to analyze freight mobility projects, identify high-priority projects, and facilitate funding commitments from non-state partners. The board is to recommend a portfolio of the highest-rated freight mobility projects to the Legislature for state funding consideration.</p> <p>Partial Veto: Provisions allowing Whatcom County to receive federal funds for transportation planning purposes were vetoed, along with provisions requiring the Governor to make appointments to the Board prior to the act's July 1, 1998 effective date. Finally, the provision for a \$25 million loan from the general fund to the motor vehicle fund was vetoed. This last provision was unrelated to the purposes of the freight mobility program.</p> <p>For further information contact: Jeff Doyle, 786-7322</p>	C 175 L 98 PV
SHB 2659 (cf SB 6465)	Fisher, K. Schmidt, Radcliff (Gov request)	<p>Special Fuel/Vehicle Fuel (fuel tax evasion) - The point of taxation for gasoline and special fuel is moved from the distributor level to the terminal rack. The terminal rack is the platform from which fuel is delivered from a refiner or terminal into trucks, trains or vessels for distribution.</p> <p>The dyed diesel program is implemented. Under this program, dyed diesel fuel can be purchased without payment of fuel tax, but may only be used off-highway. Fuel tax must be paid on nondyed diesel fuel at the time of purchase except: diesel fuel purchased at cardlock facilities by farmers, loggers and construction companies for nonhighway use, and full truck-trailer loads of diesel fuel delivered directly into storage tanks of interstate trucking companies.</p> <p>Special licensing of importers, exporters and blenders is required; DOL is required to pay interest on refunds that are not issued within 30 business days of the request; DOL is given authority to enter into cooperative agreements with other states and provinces; and information that must be included in fuel shipment documents is specified.</p> <p>For further information contact: Roger Horn, 786-7839</p>	C 176 L 98

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
ESHB 2730	Robertson, Hatfield, Mitchell	<p>Drivers' Licenses Security - DOL would have been required to contract with an outside vendor to produce a new, more secure driver's license document. The following limits would have been placed on DOL's ability to use new technology:</p> <ul style="list-style-type: none"> • No one-to-many searches on digital photograph. Digital photographs could only be released to law enforcement agencies in connection with a criminal investigation. The department would have been required to maintain a record of any photos released • Limited access to encrypted machine-readable information. • The machine readable codes could not contain any information that is not already on the license in readable form. <ul style="list-style-type: none"> ▸ Access limited to specified law enforcement and court officials. ▸ Information would have been exempted from public disclosure except as authorized by Title 46. ▸ Unauthorized use of machine-readable information would have been a gross misdemeanor. • Prohibition on use of biometrics. • No Social Security number on the driver's license. • Central issuance system required. <p>A license fee increase from \$14 to \$20 for a four-year license would have been provided. An increase in the identicard fee from \$4 to \$5 for a five-year card would also have been provided.</p> <p>For further information contact: Paul Neal, 786-7315</p>	S 2 nd Reading
ESHB 2821	Radcliff, Cooke, Van Luven	<p>Driver Training Schools - A relaxation of the current restrictions regarding citing of branch classrooms for driver training school was proposed. Driver training schools with at least one established place of business in Washington would have been allowed to operate branch classrooms at locations that were used for other educational purposes.</p> <p>For further information contact: Paul Neal, 786-7315</p>	S 2 nd Reading
SHB 2858	Zellinsky, Fisher	<p>Rental Car Tax Payment - Rental car companies must alter month and year tabs to render the license plate void of any designation of year and month. DOL is required to study the rental car tax and motor vehicle excise tax (MVET) exemption.</p> <p>For further information contact: Jennifer Hanlon, 786-7316</p>	C 145 L 98

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SHB 2890 (cf SSB 6501)	Mitchell, Fisher, K. Schmidt	<p>Transportation Agency Performance Budgeting - DOL, the DOT and WSP would have been required to submit a strategic plan and objectives with their agency request budgets. Agencies would have developed performance indicators to measure activities in their plan. Next biennium, one program in each agency would have tested the effectiveness of performance budgeting. Full performance budgeting would have been implemented by the 2001-2003 biennium.</p> <p>For further information contact: Jennifer Hanlon, 786-7316</p>	S 2 nd Reading
SHB 2917	K. Schmidt, Fisher (DOL request)	<p>Fuel Tax/Registration Payments - This housekeeping legislation is a clean-up of DOL's gasoline, diesel and other special fuel statutes: (1) the refund procedure for fuel used for non-highway purposes is made the same for gasoline and diesel; (2) the language referencing an obsolete voluntary fuel tax reporting program is removed in the proportional registration and International Fuel Tax Agreement statutes; (3) the department may refuse to issue a special fuel dealer's license to an applicant with unpaid aircraft fuel taxes; and (4) leaded racing fuel is exempt from the fuel tax, but remains subject to the sales tax (proceeds deposited in the Advanced Environmental Mitigation Account).</p> <p>For further information contact: Mary McLaughlin, 786-7309</p>	C 115 L 98
HB 2945 (cf SB 6503/ SB 6504)	McCune, Cairnes	<p>Transportation Funding/Planning - Agencies receiving transportation funding are required to submit requests for allotment amendments to the Legislative Transportation Committee (LTC), in addition to OFM. The Department of Information Services is required to submit copies of their information technology reports to the LTC.</p> <p>For further information contact: Reema Shawa, 786-7301</p>	C 177 L 98
SHB 2964 (cf SB 6596)	Murray, K. Schmidt, Mitchell	<p>Regional Transportation Plans - Any member of the House or Senate whose district lies within the boundaries of a regional transportation planning organization (RTPO) would have been designated as an <i>ex-officio</i>, nonvoting policy board member. RTPOs would have been required to provide their respective state legislators with a schedule of their six-year transportation improvement programs. RTPOs and the state would have been required to jointly identify and plan the most efficient strategy to address deficiencies on regional and state corridors, including investments in modal integration within those transportation corridors that are important to moving people and goods on a regional and statewide basis.</p> <p>For further information contact: Ashley Probart, 786-7319</p>	S 2 nd Reading

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SHB 3015	Huff, Fisher, K. Schmidt	<p>SR 16 Corridor Tax Exemptions - The SR 16 corridor transportation systems and facilities constructed under the Public-Private Initiatives in Transportation program (Chapter 47.46 RCW) are exempt from the property tax, the real estate excise tax, the state public utility tax, and city business taxes.</p> <p>State and local sales and use taxes are deferred for five years. At the expiration of the deferral period, the accrued tax must be paid over 10 years at a rate of 10 percent per year.</p> <p>For further information contact: Paul Neal, 786-7315</p>	C 179 L 98
SHB 3057	Chandler, Linville	<p>Adopt-A-Highway Signs - The use of trademarks and logos are allowed on the Department of Transportation's (DOT's) adopt-a-highway facilities (highways, rest areas, park and ride lots, intermodal facilities). This legislation was a recommendation of the 1997 Model Litter Control Task Force in an effort to encourage more adoptions, increase the advertising exposure for the sponsors, and free up more maintenance dollars for preservation and safety.</p> <p>For further information contact: Mary McLaughlin, 786-7309</p>	C 180 L 98
SHB 3110	Mastin, Buck, K. Schmidt	<p>Advanced environmental mitigation - Clarification is made that the DOT's advanced environmental mitigation account must give consideration to activities related to the integration of fish passage, fish habitat, wetlands and flood management. Flood management is recognized as a key component to addressing advance environmental mitigation. A flood management pilot project is required which provides an opportunity to put flood management and flood hazard reduction projects into effect under this account.</p> <p>For further information contact: Ashley Probart, 786-7319</p>	C 181 L 98
2SSB 5727 (cf HB 2613)	J. Wood, Haugen, Jacobsen	<p>Delivery Truck Backup Alerts - Small delivery trucks registered or based in Washington are required to be equipped with a rear crossview mirror or backup device to alert the driver that a person or object is behind the truck. The new standards take effect September 30, 1998.</p> <p>For further information contact: Jerry Long, 786-7306</p>	C 2 L 98
2SSB 6190 (cf SHB 2442)	Oke, Goings, Bauer	<p>Disabled Persons' Parking - Provisions are added for volunteer enforcement and fines are increased for violations of disabled persons' parking provisions.</p> <p>For further information contact: Reema Shawa, 786-7301</p>	C 294 L 98

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SB 6220 (cf HB 2722)	Horn, Heavey, Schow	Airline Employee Shift Trades - An exemption is created from the state overtime law if an airline employee works over 40 hours in a week pursuant to a voluntary trade of shifts with another employee. For further information contact: Paul Neal, 786-7315	C 239 L 98
SB 6228	Haugen, Morton, Rasmussen	Aircraft Dealer License Fees - The aircraft dealer license fee is increased from \$25 to \$75, and the revenue generated from this fee is deposited in the Aeronautics Account. For further information contact: Reema Shawa, 786-7301	C 187 L 98
SSB 6229	Haugen, Morton, Goings	Aircraft Registration Compliance - Local airports must require proof of aircraft registration in order to sell or lease tiedown or hangar space. For further information contact: Reema Shawa, 786-7301	C 188 L 98
E2SSB 6293	Benton, Roach, T. Sheldon	DUI Penalties - Electronic home monitoring is provided as an additional penalty for drunk driving convictions. Permanent revocation of driver's license is required upon a third DUI conviction. For further information contact: Paul Neal, 786-7315	C 214 L 98
ESB 6325 (cf EHB 2734)	Oke, B. Sheldon, T. Sheldon	Ferry Vessels Authorized - The DOT is authorized to construct a maximum of four passenger-only fast ferries and supporting docking and terminal facilities that would provide state ferry service on two new routes between Southworth and Seattle and Kingston and Seattle. The DOT's authority to proceed with construction of the project is conditioned on a legislative appropriation of funds. For further information contact: Vicki Fabre, 786-7313	C 166 L 98
SSB 6346	Johnson, Heavey	Regional Transportation Authorities - An allowance is made to permit a city formed at the same time as the Regional Transit Authority (RTA), and which is partially within and partly outside the RTA boundaries, to withdraw from the RTA. The city must request removal, and two-thirds of the RTA board must approve removal. The law expires December 31, 1998. For further information contact: Gene Baxstrom, 786-7303	C 192 L 98
SB 6352	J. Wood, Haugen (WSP request)	WSP Officers Exam Eligibility - A WSP officer must have completed the statutorily required years of experience <i>before</i> he or she can begin the testing process to qualify for promotion. For further information contact: Paul Neal, 786-7315	C 193 L 98

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SB 6353	Sellar, Goings (WSP request)	<p>WSP Officers Disability - A WSP officer is allowed to qualify for temporary disability after being absent from work for 40 work hours, replacing the old requirement that the officer be absent for five work days.</p> <p>For further information contact: Paul Neal, 786-7315</p>	C 194 L 98
SB 6436	Horn, McAuliffe, Patterson	<p>RTA Short-Term Obligations - The RTA was specifically identified as a municipal corporation and would have been authorized to sell short term obligations, including short term financial notes. This borrowing authority would have supplemented existing bond authority.</p> <p>This bill was amended onto SHB 2411 - C 106 L 98.</p> <p>For further information contact: Gene Baxstrom, 786-7303</p>	S Rules 2
SSB 6439 (cf HB 2526)	J. Wood, Haugen, Prince (DOT request)	<p>Design-Build Demonstration Projects -The DOT is authorized to use the design/build method of contracting for two pilot projects.</p> <p>For further information contact: Jennifer Hanlon, 786-7316</p>	C 195 L 98
SB 6441 (cf HB 2548)	Oke, Prince, Haugen (DOT request)	<p>Transportation Environment Change Orders - The requirement that public agencies include copies of all applicable environmental laws and regulations in request for bid documents is repealed.</p> <p>For further information contact: Paul Neal, 768-7315</p>	C 196 L 98
ESSB 6456	Prince, Haugen, J. Wood (Gov request)	<p>Supplemental Transportation Budget - Supplemental appropriations are made to transportation agencies: DOT - \$183.5 million; WSP - \$2 million; DOL - \$2.6 million; LTC - \$1.2 million; and Department of Agriculture - \$10,000.</p> <p>Partial Veto: The following items were vetoed: Study for design build contracting; Blue Ribbon Panel directives; no salary increases for positions above WSP Captains; removal of obsolete DOL BTAP project language; DOL technical correction; appropriations for DOL bills not passed; directive for DOT to develop prioritization of highway infrastructure projects; prohibition for DOT to contract out for engineering services; funding for the program evaluation and audit of the Public Private Initiatives program; Transportation Commission to develop a comprehensive policy on tolls; DOT to develop a plan for preservation work on the Hood Canal bridge; funding for the King Street Station; directive for the preparation of a plan to</p>	C 348 L 98 PV

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
ESSB 6456 (cont.)	Prince, Haugen, J. Wood (Gov request)	consolidate TIB and CRAB; transportation study on rented buildings in Thurston County to propose facility alternatives instead of renting; increase for bond sale expenses; directing the Legislature to receive agency budget documents when OFM receives the documents; requirement that DOT use appropriations to fund projects identified in the TEIS capital system; and repeal of a section that appropriated \$10 million into reserve status as a contingency if ISTEA is not enacted. For further information contact: Brad Lovaas, 786-7307	C 348 L 98 PV
ESSB 6515	Strannigan, Finkbeiner, Morton	Rights of Way Franchises - This bill would have required cities, counties and the state to site telecommunication facilities within public rights of way. Several regulatory changes were mandated, including a prohibition on the use of moratoria as a means of prohibiting the placement of cellular towers, a restriction on the types of fees charged to telecommunication providers for use of public rights of way, and a prohibition on the counties' and cities' ability to provide telecommunication and cable services to their residents. For further information contact: Jeff Doyle, 786-7322	S/H CCs Appt
SSB 6603	Horn, Spanel, Oke	Vessel Registration - A conflict in vessel registration statutes is corrected. International vessels are required to pay a one-time \$25 permit fee. For further information contact: Jennifer Hanlon, 786-7316	C 198 L 98
ESB 6628	Benton, Finkbeiner, Anderson	Transportation Planning - The statewide multimodal plan is modified to place a primary emphasis on congestion relief, the preservation of existing investments, the improvement of traveler safety, and the efficient movement of freight and goods. The state-owned component of the statewide multimodal plan is required to identify the most cost-effective combination of highway, ferry, passenger rail, and high-capacity transportation improvements that maximizes the efficient movement of people, freight and goods within transportation corridors. The RTA is required to consult with DCTED to explore the potential for developing contracting methods that encourage development of a manufacturing base in Washington for commuter and light rail train sets and components. The RTA must report its findings to the LTC by January 1, 1999.	C 199 L 98 PV

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
ESB 6628 (cont.)	Benton, Finkbeiner, Anderson	<p>Partial Veto: The following requirements were removed: 1) the state-owned facilities component of the statewide multimodal transportation plan to identify the most cost-effective combination of highway, ferry, passenger rail, and high capacity transportation improvements that maximizes the efficient movement of people, freight and goods within transportation corridors; 2) the state-owned component, capacity and operational improvement element to place a primary emphasis on congestion relief; and 3) the intercity passenger rail plan to include a service preservation element and a service improvement element.</p> <p>For further information contact: Ashley Probart, 786-7319</p>	C 199 L 98 PV

STATUS OF BILLS REFERRED TO
SENATE TRANSPORTATION COMMITTEE
1998 REGULAR SESSION

I. BILLS ENACTED

<u>Bill No.</u>	<u>Title</u>	<u>Status/Comments</u>
2SSB 5727	Requiring backup alerts or crossview mirrors on delivery trucks.	C 2 L 98
2SSB 6190	Strengthening laws on disabled persons' parking permits.	C 294 L 98
SB 6228	Adjusting aircraft dealers' license fees and their distribution.	C 187 L 98
SSB 6229	Enhancing compliance with aircraft registration laws.	C 188 L 98
E2SSB 6293	Establishing penalties for drunk driving.	C 214 L 98
ESB 6325	Authorizing additional state ferry vessels.	C 166 L 98
SSB 6346	Allowing withdrawals from regional transportation authorities.	C 192 L 98
SB 6352	Specifying examination eligibility requirements for Washington state patrol officers.	C 193 L 98
SB 6353	Reflecting actual working hours for disability of Washington state patrol officers.	C 194 L 98
SSB 6439	Authorizing design-build demonstration projects.	C 195 L 98
SB 6441	Clarifying procedures for environmental protection change orders in public projects.	C 196 L 98
ESSB 6456	Funding transportation.	C 348 L 98
SSB 6603	Excepting certain vessels from registration.	C 198 L 98
ESB 6628	Clarifying transportation planning.	C 199 L 98 PV
SHB 1211	Making accident reports available to the traffic safety commission.	C 169 L 98

HB 1487	Enhancing transportation planning.	C 171 L 98
HB 2141	Providing changes to terminal audit violation penalties.	C 172 L 98
SHB 2166	Encouraging coordinated transportation services.	C 173 L 98
ESHB 2417	Authorizing local vehicle license fees adopted to fund transportation projects.	C 281 L 98
ESHB 2439	Providing for traffic safety education.	C 165 L 98
EHB 2501	Exempting wholesale auto auctions from certain regulations.	C 282 L 98
SHB 2659	Regulating collection of special fuel taxes and motor vehicle fuel tax.	C 176 L 98
SHB 2858	Reflecting current practice for payment of taxes on rental cars.	C 145 L 98
SHB 2917	Regulating fuel tax and international registration plan payments.	C 115 L 98
HB 2945	Notifying the legislature regarding transportation funding and planning.	C 177 L 98
SHB 3057	Allowing trademarks or business logos on adopt-a-highway signs.	C 180 L 98
SHB 3110	Considering fish in advanced environmental Mitigation.	C 181 L 98

II. BILLS REPORTED BY COMMITTEE BUT NOT ENACTED

SSB 5699	Enhancing transportation planning.	S Rules 2; see HB 1487 - C 171 L 98
SSB 5939	Directing a study of wing-in-ground effect vehicles.	HTPBC
SSB 6222	Enhancing traffic safety by the Cooper Jones Act.	S Rules 2; see ESHB 2439 - C 165 L 98
SB 6226	Funding airport development.	S Ways & Means

SB 6227	Adjusting aircraft dealers' license fees and their distribution.	S Ways & Means
SSB 6295	Adjusting transportation facility tax exemptions.	S Ways & Means
SB 6315	Updating references to the transportation improvement board bond retirement account.	HTPBC; cf 2582
SB 6351	Eliminating an obsolete reference to index cross-reference reporting.	S Rules 2
SSB 6391	Protecting certain public transportation information.	S Rules 2; cf 3121
SSB 6399	Increasing security of drivers' licenses.	S Rules 2; cf 2730
SB 6436	Authorizing regional transit authorities to issues short-term obligations.	S Rules 2; see SHB 2411 - C 106 L 98
SSB 6440	Phasing in lightweight tire studs.	S Rules 2; cf 2525
ESSB 6461	Creating partnerships for strategic freight investments.	HTPBC; see SHB 2615 - C 175 L 98 PV
SB 6500	Creating a scenic byways designation program.	S Rules 2
SSB 6501	Requiring performance budgeting for transportation agencies.	HTPBC; cf 2890
ESSB 6502	Deleting reference to obsolete transportation accounts.	HTPBC; cf 2888
SB 6503	Regulating unanticipated receipts in the transportation budget.	HTPBC; cf 2739
SB 6504	Broadening distribution of technology plans.	HTPBC; cf 2740
SB 6540	Providing criteria for establishing and siting vehicle licensing agencies.	HTPBC
SSB 6589	Providing exemptions from driver's license requirements for nonresidents.	HTPBC
SSB 6590	Revising provision for driver's license examinations.	HTPBC

SB 6591	Providing for waiver of administrative alcohol or drug-related hearing fees due to indigency.	H Law & Justice
SB 6596	Enhancing regional transportation planning.	S Rules 2; cf 2964
SB 6634	Allowing extension of a driver's license expiring while out of state.	HTPBC
SSB 6639	Establishing a pilot project for noxious weed control.	S Rules 2
SB 6643	Requiring the name of record on a driver's license.	S Rules 2
SSB 6666	Allowing a vehicle in an accident to be moved to safety.	S Rules 2; cf 2982
SSB 6678	Developing a vehicle-oriented highway access management program.	S Rules 2; cf 2950
SSB 6684	Defining powers and duties of commercial vehicle officers.	S Rules 2; cf 2987
SB 6685	Defining powers of commercial vehicle officers.	HTPBC; cf 2986
SSB 6709	Requiring regional transit authorities to encourage train sets to be made in Washington.	S Rules 2; cf 2976; see ESB 6228 - C 199 L 98 PV
SB 6741	Exempting noncommercial marine fuel from sales and use tax.	S Ways & Means
SSB 6752	Providing for an additional certification exemption for municipal transportation services.	S Rules 2
SJM 8017	Naming the Admiral James S. Russell Bridge.	HTPBC
HB 1012	Authorizing highway bonds.	S Rules 2
SHB 1195	Requiring proof of auto insurance to drivers' license examiners.	S Rules 2
SHB 1479	Clarifying vehicle impound and redemption procedures.	S Rules 2

SHB 1786	Requiring the transportation improvement board to report to the legislative transportation committee.	Governor vetoed
HB 2434	Increasing maximum height for motorcycle handlebars.	S 2 nd Reading
SHB 2442	Strengthening laws on disabled persons' parking permits.	S 2 nd Reading; see 2SSB 6190 - C
SHB 2525	Phasing in lightweight studs.	S 2 nd Reading; cf 6440
HB 2548	Clarifying procedures for environmental protection change orders in public projects.	S Rules 2; see SB 6441 - C 196 L 98
HB 2582	Updating references to the transportation improvement board bond retirement account.	S 2 nd Reading; cf 6315
ESHB 2730	Increasing security of drivers' licenses.	S 2 nd Reading; cf 6399
ESHB 2821	Authorizing branch classrooms for driver training schools.	S 2 nd Reading
SHB 2888	Deleting reference to obsolete transportation accounts.	S Rules 2
SHB 2890	Requiring performance budgeting for transportation agencies.	S 2 nd Reading
SHB 2932	Requiring stops at intersections with nonfunctioning signal lights.	S Rules 2
SHB 2964	Enhancing regional transportation planning.	S 2 nd Reading
SHB 2976	Requiring regional transit authorities to encourage train sets to be made in Washington.	S 2 nd Reading; amended onto ESB 6228 - C 199 L 98 PV
HB 3117	Clarifying transportation plans.	S 2 nd Reading; see ESB 6628 - C 199 L 98

III. BILLS REMAINING IN COMMITTEE

SSB 5250	Limiting weight of tire studs.	Heard 1/22
SB 6128	Expanding membership of the legislative transportation committee.	Heard 1/15
SB 6252	Ensuring adequate access to state highways.	
SB 6289	Authorizing HOV lane restrictions only during peak traffic periods.	Heard 1/29
SB 6291	Repealing the vehicle tax refund to island counties.	
SB 6367	Crediting refunds from the motor vehicle fund.	
SB 6386	Notifying employers of driver's license suspensions.	
SB 6403	Revising authorizing statutes of the state patrol.	
SB 6404	Requiring backup alerts on delivery trucks.	Heard 1/27; see 2SSB 5727 - C 2 L 98
SB 6413	Providing airport noise property tax exemptions for port district property taxes.	
SB 6435	Updating vehicle dealer license requirements.	
SB 6454	Authorizing transportation bonds.	
SB 6458	Providing a tax exemption for the state share of labor and services on state roads and high capacity transportation systems construction.	
SB 6459	Increasing and indexing the motor vehicle fuel tax and alerting the distribution of revenues.	
SB 6465	Regulating collection of special fuel taxes and motor vehicle fuel tax.	See SHB 2659 - C 176 L 98
SB 6498	Authorizing department of transportation contracting out of maintenance services.	Heard 2/4
SB 6499	Consolidating three transportation agencies.	

SB 6521	Directing noise wall retrofit projects.	
SB 6614	Issuing provisional drivers' licenses.	
SB 6705	Restricting hazardous materials on state ferries.	Heard 2/4
SB 6710	Allowing commercial vehicle officers to join the state patrol.	
SB 6711	Allowing commercial vehicle officers to join the state patrol.	
SB 6720	Establishing intermediate drivers' licenses.	
SB 6755	Establishing penalties for drunk driving.	
SB 6760	Providing for transportation funding.	
SJM 8032	Requesting that I-90 be designated a Memorial Highway to the Battle of Pearl Harbor.	
SHB 1352	Funding transportation project environmental	(cf 5313; C 140 L 97)
HB 1421	Using transportation centers.	Heard 2/19
SHB 1505	Protecting privacy of law enforcement	Heard 2/18
HB 1785	Encouraging the public to submit names	Heard 2/18
2SHB 2180	Creating partnerships for strategic freight	Heard 3/4
SHB 2613	Requiring backup alerts or crossview mirrors on delivery trucks.	See 2SSB 5727 - C 2 L 98
EHB 2734	Authorizing additional state ferry vessels.	See EHB 6325 - C 166 L 98
HB 2889	Consolidating three transportation agencies.	

STATUS OF BILLS REFERRED TO
HOUSE TRANSPORTATION POLICY & BUDGET COMMITTEE
1998 REGULAR SESSION

I. BILLS ENACTED

<u>Bill Number</u>	<u>Title</u>	<u>Status/Comments</u>
SHB 1211	Making accident reports available to the traffic safety commission.	C 169 L 98
HB 1487	Enhancing transportation planning.	C 171 L 98
2SHB 1501	Clarifying and making technical corrections to driver's license statutes.	C 41 L 98
HB 2141	Providing changes to terminal audit violation penalties.	C 172 L 98
SHB 2166	Encouraging coordinated transportation services.	C 173 L 98
ESHB 2417	Authorizing local vehicle license fees adopted to fund transportation projects.	C 281 L 98
ESHB 2439	Providing for traffic safety education.	C 165 L 98
EHB 2501	Exempting wholesale auto auctions from certain regulations.	C 282 L 98 PV
SHB 2615	Creating partnerships for strategic freight investments.	C 175 L 98 PV
SHB 2659	Regulating collection of special fuel taxes and motor vehicle fuel taxes.	C 176 L 98
SHB 2858	Reflecting current practice for payment of taxes on rental cars.	C 145 L 98
SHB 2917	Regulating fuel tax and international registration plan payments.	C 115 L 98
HB 2945	Notifying the legislature regarding transportation funding and planning.	C 177 L 98
SHB 3015	Providing tax exemptions for state route number 16 corridor.	C 179 L 98

SHB 3057	Allowing trademarks or business logos on adopt-a-highway signs.	C 180 L 98
SHB 3110	Considering fish in advanced environmental mitigation.	C 181 L 98
2SSB 5727	Requiring backup alerts or crossview mirrors on delivery trucks.	C 2 L 98
2SSB 6190	Strengthening laws on disabled persons' parking permits.	C 294 L 98
SB 6220	Allowing airline employees to trade shifts without overtime pay.	C 239 L 98
SB 6228	Adjusting aircraft dealers' license fees and their distribution.	C 187 L 98
SSB 6229	Enhancing compliance with aircraft registration laws.	C 188 L 98
ESB 6325	Authorizing additional state ferry vessels.	C 166 L 98
SSB 6346	Allowing withdrawals from regional transportation authorities.	C 192 L 98
SB 6352	Specifying examination eligibility requirements for Washington state patrol officers.	C 193 L 98
SB 6353	Reflecting actual working hours for disability of Washington state patrol officers.	C 194 L 98
SSB 6439	Authorizing design-build demonstration projects.	C 195 L 98
ESSB 6456	Funding transportation.	C 348 L 98 PV
SSB 6603	Excepting certain vessels from registration.	C 198 L 98
ESB 6628	Clarifying transportation planning.	C 199 L 98 PV

II. BILLS REPORTED BY COMMITTEE BUT NOT ENACTED

SHB 1479	Clarifying vehicle impound and redemption procedures.	S Rules 2; cf SB 5342
SHB 1553	Authorizing city and town transportation funding.	H Rules R; cf SB 5480
SHB 1786	Requiring the transportation improvement board to report to the legislative transportation committee.	Full veto
2SHB 2180	Creating partnerships for strategic freight investments.	S Trans
HB 2434	Increasing maximum height for motorcycle handlebars.	S 2 nd Reading
SHB 2442	Strengthening laws on disabled persons' parking permits.	S 2 nd Reading; see 2SSB 6190 - C 294 L 98
SHB 2525	Phasing in lightweight tire studs.	S Rules 2 G; cf SB 6440
HB 2582	Updating references to the transportation improvement board bond retirement account.	S 2 nd Reading; cf SB 6315
SHB 2612	Revising authorizing statutes of the state patrol.	H Rules C; cf SB 6403
SHB 2613	Requiring backup alerts or crossview mirrors on delivery trucks.	S Trans; cf 2SSB 5727 - C 2 L 98
ESHB 2730	Increasing security of drivers' licenses.	S 2 nd Reading
EHB 2734	Authorizing additional state ferry vessels.	S Trans; cf ESB 6325 - C 166 L 98
ESHB 2821	Authorizing branch classrooms for driver training schools.	S 2 nd Reading
SHB 2888	Deleting references to obsolete transportation accounts.	S Rules 2
HB 2889	Consolidating three transportation agencies.	S Trans; cf SB 6499

SHB 2890	Requiring performance budgeting for transportation agencies.	S 2 nd Reading; cf SB 6501
SHB 2892	Authorizing department of transportation contracting out of maintenance services.	H Rules C; cf SB 6498
SHB 2932	Requiring stops at intersection with nonfunctioning signal lights.	S Rules 2
SHB 2964	Enhancing regional transportation planning.	S 2 nd Reading; cf SB 6569
SHB 2976	Requiring regional transit authorities to encourage train sets to be made in Washington.	S 2 nd Reading; amended onto ESB 6628 - C 199 L 98 PV
HB 3117	Clarifying transportation plans.	S 2 nd Reading; see ESB 6628 - C 199 L 98 PV
SHB 3132	Funding transportation.	H Rules R; see ESSB 6456 - C 348 L 98 PV
ESSB 6050	Providing tax exemptions for state route number 16 corridor improvements constructed under chapter 47.46 RCW.	H Rules R; cf SHB 3015 - C 179 L 98
ESSB 6515	Regulating franchises and the use of public rights of way.	CCs appt

III. BILLS REMAINING IN COMMITTEE

SHB 1351	Stabilizing the monthly refund from the marine fuel tax refund account.	Heard 1/14/98
HB 2370	Issuing vehicle licenses upon proof of financial responsibility.	
HB 2409	Regulating overcharges by household movers.	
HB 2416	Designating SR 503 as the "Battle Ground Highway."	

HB 2433	Broadening eligibility for free license plates for veterans and POWs.	
HB 2437	Requiring bicycle helmets.	
HB 2438	Regulating bicycle racing on state highways.	
HB 2440	Requiring examinations of seniors renewing driver's licenses.	
HB 2522	Ensuring adequate access to state highways.	Heard 1/29/98; monitor during 1998 interim; cf SB 6252
HB 2526	Authorizing design-build demonstration projects.	cf SSB 6439 - C 195 L 98
HB 2563	Regulating dyed diesel fuel.	
HB 2564	Regulating collection of special fuel taxes and motor vehicle fuel tax.	
HB 2565	Taxing special fuel at the rack.	
HB 2569	Authorizing weight limit exemptions for fire- fighting apparatus.	Heard 1/28/98
HB 2609	Providing airport noise property tax exemptions for port district property taxes.	cf SB 6413
HB 2629	Regulating high-occupancy vehicle lanes.	Heard 1/26/98; cf SB 6289
HB 2642	Increasing and indexing the motor vehicle fuel tax and altering the distribution of revenues.	cf SB 6459
HB 2643	Authorizing transportation bonds.	cf SB 6454
HB 2644	Making supplemental transportation appropriations.	cf ESSB 6456 - C 348 L 98 PV
HB 2676	Authorizing branch classrooms for driver training schools.	Heard 1/27/98; similar to HB 2821
HB 2677	Regulating hulk haulers and scrap processors.	Heard 1/28/98

HB 2679	Clarifying local matching transit tax.	
HB 2731	Extending the city hardship assistance program.	Heard 1/29/98
HB 2739	Regulating unanticipated receipts in the transportation budget.	Heard 1/29/98; cf SB 6503; see HB 2945 - C 177 L 98
HB 2740	Broadening distribution of technology plans.	Heard 1/29/98; cf SB 6504; see HB 2945 - C 177 L 98
HB 2742	Updating vehicle dealer license requirements.	cf SB 6535
HB 2743	Regulating street rods.	
HB 2759	Authorizing a reduction in the penalty for a traffic infraction for persons who do not contest the infraction and pay on time.	
HB 2762	Prohibiting truant minor students from obtaining driving privileges.	
HB 2813	Expanding eligibility of disabled veterans for free license plates.	
HB 2833	Requiring load covering for vehicles.	
HB 2839	Exempting state and county ferry fuel sales and use tax.	Same as HB 1011 - vetoed in 1997
HB 2926	Regulating airport runway construction.	
HB 2950	Developing a vehicle-oriented highway access management program.	Heard 1/29/98; amd onto ESB 6628 - C 199 L 98 PV
HB 2951	Regulating high-occupancy vehicle lanes.	Heard 1/26/98
HB 2956	Promoting terminal inspections of commercial vehicles.	
HB 2957	Prescribing penalties for motor vehicle registration violations.	

HB 2981	Funding the mitigation of highway noise, water pollution, and fish passage barriers.	
HB 2982	Allowing a vehicle in an accident to be removed to safety.	cf SB 6666
HB 2986	Defining powers of commercial vehicle officers.	Heard 2/5/98; cf SB 6685
HB 2987	Defining powers and duties of commercial vehicle officers.	Heard 2/5/98; cf SB 6684
HB 3016	Including certain provisions in public-private transportation projects.	
HB 3018	Refining criteria for defining affected project areas in public-private transportation projects.	
HB 3019	Requiring specification of tolls charged on public-private transportation projects.	
HB 3051	Authorizing pilot projects for nonhighway transportation alternatives.	
HB 3111	Regulating highway access by adjacent property owners.	See ESB 6628 - C 199 L 98 PV
HB 3113	Prohibiting tolls on existing transportation facilities.	
HJM 4028	Requesting the designation of the Paul N. Luvera, Sr. Memorial Highway.	
ESSB 5618	Regulating ferry queues.	
SSB 5939	Directing a study of wing-in-ground effect vehicles.	Heard 2/23/98
SB 6315	Updating references to the transportation improvement board retirement account.	cf HB 2582
ESSB 6461	Creating partnerships for strategic freight investments.	cf SHB 2615 - C 175 L 98 PV
SSB 6501	Requiring performance budgeting for transportation agencies.	cf SHB 2896

ESSB 6502	Deleting reference to obsolete transportation accounts.	cf SHB 2888
SB 6503	Regulating unanticipated receipts in the transportation budget.	cf HB 2739; see HB 2945 - C 177 L 98
SB 6504	Broadening distribution of technology plans.	cf HB 2740; see HB 2945 - C 177 L 98
SB 6540	Providing criteria for establishing and siting vehicle licensing agencies.	Heard 2/24/98; 1998 interim study
SSB 6589	Providing exemptions from driver's license requirements for nonresidents.	
SSB 6590	Revising provision for driver's license examinations.	
SB 6634	Allowing extension of a driver's license expiring while out of state.	
SB 6685	Defining powers of commercial vehicle officers.	cf HB 2896
ESSJM 8010	Encouraging the federal government to enact laws requiring deactivation switches be installed in new vehicles.	
SJM 8017	Naming the Admiral James S. Russell Bridge.	

VETO MESSAGE ON HB 1786-S

March 31, 1998

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute House Bill No. 1786 entitled:
"AN ACT Relating to transportation improvement board reporting requirements;"

SHB 1786 would require the Transportation Improvement Board to submit its prioritized list of projects to the Legislature for review before final budget decisions are made.

The Transportation Improvement Board's prioritization process for local transportation projects was established to ensure that the investment of state transportation funds be sound and systematic. Priority programming, by statute, is grounded in the rational selection of projects and services according to factual need and an evaluation of life cycle costs and benefits. Projects selected by this process are then scheduled to carry out defined objectives within available revenues. SHB 1786 would have threatened the integrity of that process by interjecting a layer of legislative screening of local projects, which are already adequately screened by the Transportation Improvement Board, a board that includes local elected officials.

For these reasons, I have vetoed Substitute House Bill No. 1786 in its entirety.

Respectfully submitted,

Gary Locke
Governor

VETO MESSAGE ON HB 2501

April 2, 1998

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 1, 3, and 5, Engrossed House Bill No. 2501 entitled:

"AN ACT Relating to wholesale motor vehicle auctions;"

Engrossed House Bill No. 2501 modifies state law relating to wholesale motor vehicle auction dealers.

Sections 1, 3, and 5 of the bill each contains the definition of "wholesale motor vehicle auction dealer," which is technically flawed. The definition would include all firms, wholesale and retail, that offer motor vehicles for sale by competitive bidding at a permanent location and with regularly scheduled dates. This would unintentionally force such retailers, as well as wholesalers, to sell only to motor vehicle dealers and vehicle wreckers. That result would limit the options available to consumers and likely result in some dealers operating illegally.

For these reasons, I have vetoed sections 1, 3, and 5 of Engrossed House Bill No. 2501.

With the exception of sections 1, 3, and 5, Engrossed House Bill No. 2501 is approved.

Respectfully submitted,

Gary Locke
Governor

VETO MESSAGE ON HB 2615-S

March 27, 1998

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 11, 13 and 14, Engrossed Substitute House Bill No. 2615 entitled:

"AN ACT Relating to creating partnerships for strategic freight investments;"

ESHB 2615 creates a Freight Mobility Strategic Investment Board to administer grants, targeted at improving freight mobility. This bill is an important step toward solving our state's transportation bottlenecks; however, some sections of the bill are problematic.

Section 11 of ESHB 2615 would require the Department of Transportation (DOT) to make incentive grants to metropolitan planning and regional transportation planning organizations that border Canada, to encourage joint transportation planning activities. While I appreciate the strategic importance of international freight corridors, this section would give superior status to border crossing projects. Section 3 of the bill establishes a level playing field which will allow all freight projects, including those along the Canadian border, to compete for funding on equal terms. Granting priority status for border crossing projects in this instance is not warranted.

Section 13 of ESHB 2615 would require the Governor to personally ensure that this act is "implemented" on its effective date and that the Freight Mobility Strategic Investment Board convenes by July 1, 1998. Section 4 of the bill already requires that the Board convene by that date. Also, I understand that it is unlikely that the Board will be able to adopt all of its rules within 90 days of the Legislature's adjournment. While I am certainly committed to the rapid, yet thoughtful implementation of this act, the meaning of "implemented" as it appears in this section is very ambiguous and could have unanticipated consequences.

Section 14 of ESHB 2615 would provide that a \$25 million loan from the state general fund to the motor vehicle fund, as provided in ESHB 2894, be used to facilitate freight mobility, but in a very limited way. It would limit the loan's use to only highway construction projects in DOT's highway improvement program. As distinguished from DOT's current highway improvement program, ESHB 2615 is focused legislation intended to create a targeted freight mobility program with the aim of reducing barriers to freight movement with only incidental benefits to general mobility. Linking this money to the highway improvement program is inconsistent with the primary intent of this bill.

For these reasons, I have vetoed sections 11, 13 and 14 of Engrossed Substitute House Bill No. 2615.

With the exceptions of sections 11, 13 and 14, Engrossed Substitute House Bill No. 2615 is approved.

Respectfully submitted,

Gary Locke
Governor

VETO MESSAGE ON SB 6456-S

April 3, 1998

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 202(6); 202(8), page 8, line 20 through page 9, line 6; 203(13); 207(2); 209, page 18, lines 1 through 2; 209(3); 209(4); 209(5); 211(12); 211(13); 212(3); 214(4); 214(5); 220(10); 221(7); 301(4); 402, page 42, lines 29 through 30; 403; 501; 502; 507 and 508, Engrossed Substitute Senate Bill No. 6456 entitled: "AN ACT Relating to transportation funding and appropriations;"

Engrossed Substitute Senate Bill No. 6456 provides a supplemental budget for the 1997-99 transportation budget.

Section 202(6), page 7 (Legislative Transportation Committee)

Section 202(6) directs the Legislative Transportation Committee to study and report findings to the Legislature regarding the design-build method of contracting. I am vetoing this proviso because it is unnecessary in light of passage of Substitute Senate Bill 6439, which requires the Department of Transportation (DOT) to conduct a demonstration program using the design-build method of contracting and requires the DOT to present a report within one year of completion of the demonstration projects.

Section 202(8), page 8, line 20 through page 9, line 6 (Legislative Transportation Committee)

Section 202(8) provides a \$1 million appropriation for the purpose of convening a panel of citizens to conduct a comprehensive analysis of state-wide transportation needs, funding, and policies. The panel is to be appointed by the legislature and the Governor.

While there is no question about the commitment of all parties, including myself, to conduct a creditable and timely review of transportation issues, I have vetoed page 8, line 20 through page 9, line 6 in order to provide maximum flexibility to the panel to manage the review as effectively as possible within the available dollars. The review activities outlined in the vetoed provisos can serve as guidance, rather than limits, for the panel as they start their deliberations. The veto of these subsections does not preclude the panel from addressing the same issues, but it does allow the panel to adjust the scope and emphasis of the study activities as information is developed.

Section 203(13), page 11 (Washington State Patrol—Field Operations Bureau)

Section 203 (13) prohibits the Chief of the Washington State Patrol from using funding provided in Chapter 457, Laws of 1997 and in this act to increase salaries for positions above the rank of captain. I am vetoing this proviso because it unduly restricts the ability of the Chief to manage the State Patrol. It is also retroactive, and would reduce current salaries. Finally, it contravenes the existing statutory authority in RCW 43.43.020, which grants the Chief the authority to determine the compensation of her officers.

Section 207(2), pages 15-16 (Department of Licensing—Information Systems)

Section 207 (2) stipulates that if the driver's license fee increase contained in Engrossed Substitute House Bill 2730 is not enacted by June 30, 1998, the appropriations provided in this subsection lapse. Engrossed Substitute House Bill 2730 was not passed by the Legislature; therefore, I have vetoed this subsection to eliminate possible confusion about whether the Department of Licensing must work to implement the enumerated Business and Technology Assessment Project recommendations without the requisite funding.

Section 209, page 18, lines 1 through 2, (Department of Licensing—Driver Services)

This section reduces the state highway safety fund appropriation to the Department of Licensing. I am vetoing the supplemental appropriation in order to partially restore an inadvertent reduction that was subtracted twice. A recent court decision, regarding the limitations to the Governor's veto powers, dictates a budget level that is \$2,503,000 less than the original appropriation. When the supplemental budget adjustments were calculated, this reduction occurred twice. The effect of this veto is to reinstate \$868,000 in state highway safety funds to the department. A legislative adjustment of \$1,635,000 will be required in the 1999 legislative session in order to fully restore the intended funding level for the department. The complete restoration of these funds will ensure that the department continues to maintain existing service levels and implements recently enacted legislation. Since the double count appears to have been an inadvertent error, I am requesting that the department make plans for the intended funding level for the remainder of the biennium in anticipation of a legislative adjustment in the 1999 session.

Section 209(3), page 18 (Department of Licensing—Driver Services)

Section 209(3) stipulates that the \$117,000 highway safety account—state appropriation shall lapse if House Bill 3054 is not enacted by June 30, 1998. House Bill 3054 was not passed by the Legislature; therefore, I have vetoed this subsection to eliminate any possible confusion.

Section 209(4), page 18 (Department of Licensing—Driver Services)

Section 209(4) stipulates that the \$80,000 highway safety account—state appropriation shall lapse if House Bill 2730 is not enacted by June 30, 1998. House Bill 2730 was not passed by the Legislature; therefore, I have vetoed this subsection to eliminate any possible confusion.

Section 209(5), page 18 (Department of Licensing—Driver Services)

Section 209(5) stipulates that the \$124,000 highway safety account—state appropriation shall lapse if Senate Bill 6591 is not enacted by June 30, 1998. Senate Bill 6591 was not passed by the Legislature; therefore, I have vetoed this subsection to eliminate any possible confusion.

Section 211(12), page 21-22 (Department of Transportation—Improvements—Program I)

Section 211(12) requires the Department of Transportation (DOT) to develop criteria for programming and prioritization of highway infrastructure projects that will contribute to economic development as required by RCW 47.05.051 (2). Additionally, this subsection provides that the DOT shall report the criteria to the Legislative Transportation Committee by December 1, 1998. I am vetoing this proviso because it is unnecessary. The DOT already factors economic development in the prioritization of projects in its improvement program. If the Legislature wishes to modify the prioritization scheme, they may amend RCW 47.05.051.

Section 211(13), page 22 (Department of Transportation—Improvements—Program I)

Section 211(13) prohibits the Department of Transportation (DOT) from contracting any of the preliminary engineering services funded by this act without prior approval of the Legislative Transportation Committee. I am vetoing this proviso because it infringes on DOT's ability to manage its construction program. By hampering the DOT's ability to contract preliminary engineering, program delivery may be thwarted. Additionally, a legislative committee should not be placed in the role of approving customary functions of an executive branch agency.

Section 212(3), page 23 (Department of Transportation—Transportation Economic Partnerships—Program K)

Section 212(3) provides \$100,000 of the motor vehicle fund—state appropriation solely for the purpose of the program evaluation and audit of the Public Private Initiatives program required under RCW 47.46.030(2). Further, the subsection provides that the Legislative Transportation Committee (LTC) shall act as project manager and be responsible for hiring the consultants to conduct the evaluation and audit. I am vetoing this subsection because it contravenes RCW 47.46.030 (2), which charges the Department of Transportation (DOT) with the duty to conduct a program and fiscal audit of the Public-Private Initiatives Program. However, the statute provides that DOT shall consult with and submit progress reports to the LTC. DOT has agreed to proceed accordingly.

Section 214(4), page 25 (Department of Transportation—Preservation—Program P)

Section 214(4) requires the Transportation Commission to develop a comprehensive policy on tolls and to submit a report to the Legislative Transportation Committee and the Office of Financial Management by March 1, 1999. While this is a worthwhile and important subject, I believe it is more properly addressed as an option in the larger context of long-term transportation funding.

Section 214(5), page 25 (Department of Transportation—Preservation—Program P)

Section 214(5) requires the Department of Transportation to recommend a plan for accomplishing the preservation work on the Hood Canal Bridge, and the remainder of the twenty-year bridge system plan, under the constraints of current law revenues. Reliance on current revenues to fund major projects, like the Hood Canal Bridge, will preclude a substantial number of other necessary bridge preservation and highway improvement projects. Any review of the bridge system plan must have the flexibility to consider the need for new revenues.

Section 220(10), page 35 (Department of Transportation—Public Transportation and Rail)

Section 220(10) provides an additional \$4 million Central Puget Sound Public Transportation Account - State appropriation for the Department of Transportation for activities related to the improvement of the King Street Station. The King Street Station redevelopment project was also submitted to the Transportation Improvement Board (TIB) for state funding from the same account. The project has subsequently been selected for state funding through the TIB prioritization process, making this appropriation unnecessary. Therefore, I am vetoing this subsection to eliminate any possible confusion.

Section 221(7), pages 37-38 (Department of Transportation—Local Programs—Program Z)

Section 221(7) provides for the preparation of a consolidation plan for the Transportation Improvement Board (TIB), County Road Administration Board (CRAB), and the Department of Transportation's TransAid Service Center. The 1998 Legislature did consider, but failed to enact, legislation that would have required this same consolidation plan. While I support efforts to streamline government, a more deliberative process that involves the key stakeholders and does not presuppose an outcome must be employed.

Section 301(4), pages 39-40 (Transportation Agencies Capital Facilities)

Section 301(4) requires the transportation agencies, the Department of General Administration, and the Office of Financial Management review, analyze, and report to the Legislative Transportation Committee (LTC) on the consolidation of Thurston County, state transportation agencies. I am vetoing this subsection because it mandates action by non-transportation agencies without providing the funding necessary to accomplish such a review. A more deliberative process that involves the key stakeholders, provides the necessary funding, and does not presuppose an outcome must be employed.

Section 402, lines 29 through 30, page 42 (State Treasurer—Bond Retirement and Interest, And Ongoing Bond Registration and Transfer Charges: For Bond Sale Expenses and Fiscal Agent Charges)

This item is an increase in the appropriation for the State Treasurer for bond sale expenses and fiscal agent charges. Because the supplemental expenditures in this budget are not supported by additional bond revenues, this increased appropriation is unnecessary.

Section 403, page 43

This section authorizes the State Treasurer to transfer any Transportation Improvement Board balances available in the Highway Bond Retirement Account into the Transportation Improvement Board Bond Retirement Account. To be operative, this section required passage of House Bill 2582. House Bill 2582 was not passed by the Legislature; therefore, I have vetoed this section to eliminate any possible confusion.

Section 501, page 45

This section directs agencies that spend transportation funds to submit their budget requests and supporting documents to the Office of Financial Management (OFM) and the Legislative Transportation Committee at the same time. All agency budget requests are public documents, and OFM routinely sends a copy of all budget requests to the Legislature for review soon after they are received, making this section unnecessary.

Section 502, page 45

Section 502 provides that in the 1999-01 biennium, the Department of Transportation's Public Transportation and Rail Program shall be divided into three separate programs—public transportation, rail-operating, and rail-capital. I am vetoing this section because it infringes on the ability of the department to organize and manage this program. The determination of this level of organizational structure should be left to the agency.

Section 507, page 48

Section 507 requires the Department of Transportation to use appropriations for Programs I and P in this act to fund projects identified in the Transportation Executive Management System (TEIS) and Legislative Budget Notes. I am vetoing this section because it circumvents the process established in RCW 47.05. Additionally, I do not support enacting TEIS or Legislative Budget Notes into law through reference.

Section 508, page 48

Section 508 repeals a section from the 1997 Transportation Budget that appropriates \$10 million into reserve status for potential funding of the highway construction program should the federal transportation authorization act not be enacted by October 1, 1997. I am vetoing this section because I believe that this reserve is still appropriate as the successor to the Intermodal Surface Transportation Efficiency Act (ISTEA) has not yet been enacted, and Congress appears poised to act soon.

For these reasons, I have vetoed sections 202(6); 202(8), page 8, lines 20 through page 9, line 6; 203(13); 207(2); 209, page 18, lines 1 through 2; 209(3); 209(4); 209(5); 211(12); 211(13); 212(3); 214(4); 214(5); 220(10); 221(7); 301(4); 402, page 42, lines 29 through 30; 403; 501; 502; 507 and 508 of Engrossed Substitute Senate Bill No. 6456.

With the exception of sections 202(6); 202(8), page 8, lines 20 through page 9, line 6; 203(13); 207(2); 209, page 18, lines 1 through 2; 209(3); 209(4); 209(5); 211(12); 211(13); 212(3); 214(4); 214(5); 220(10); 221(7); 301(4); 402, page 42, lines 29 through 30; 403; 501; 502; 507 and 508, Engrossed Substitute Senate Bill No. 6456 is approved.

Respectfully submitted,

Gary Locke
Governor

VETO MESSAGE ON SB 6628

March 27, 1998

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 2 and 3, Engrossed Senate Bill No. 6628 entitled:

"AN ACT Relating to the state-owned facilities component of the state-wide transportation plan and intercity passenger rail;"

Section 2 of ESB 6628 would require an in-depth modal trade-off analysis. Such an analysis is the type of research that we should ultimately seek in our state transportation plan. However, section 2 calls for a cutting-edge type of analysis. There is not sufficient research available to support that type of analysis at this time, and it is unrealistic to expect the Department of Transportation to accomplish such extensive work without any funding.

Section 3 of ESB 6628 would add additional requirements to the intercity passenger rail plan. While it would certainly be worthwhile for decision makers to have such information, the examination should be more modally comprehensive. That is, similar data should be gleaned for all modes to allow a more fair comparison. And again, without funding from the Legislature, the Department of Transportation cannot conduct such major work without being forced to neglect existing statutory requirements.

For these reasons, I have vetoed sections 2 and 3 of Engrossed Senate Bill No. 6628.

With the exception of sections 2 and 3, Engrossed Senate Bill No. 6628 is approved.

Respectfully submitted,

Gary Locke
Governor

Summary of ESSB 6456 As Enacted
1998 Supplemental Transportation Budget
April 3, 1998

DOT Current Law

- \$91 million is provided for the following projects within current law revenue.
 - \$27 million is provided to fund a list of statewide freight mobility, economic development, and partnership projects (referred to as the \$50 million project list). The total six-year project cost is \$43 million. Funds vetoed by the Governor last session are used.
 - \$60 million of transportation dollars, federal dollars and general fund transfer is provided for mobility projects, including \$13 million for emergent economic development projects, \$2 million for corridor studies, and \$45 million for preliminary engineering and right of way.
 - \$1 million for Ebey Slough Bridge.
 - \$2 million is transferred to the advanced environmental mitigation revolving account to purchase and develop sites to meet environmental requirements on future construction projects.
 - \$0.5 million is provided for fish passage barrier removal.
 - \$0.6 million is provided for Centralia area flood mitigation.
- \$4.2 million is provided for Special Category “C” projects (SR 18 construction).
- \$11.6 million is appropriated for the Year 2000 conversion effort.
- \$4.1 million is provided to fund 13 items in the marine operating program, including: (1) second- year funding for items funded for one year only pending audit results; (2) items not approved in 1997 pending audit results; and (3) new items. In addition, \$0.9 million in savings is taken to reflect lower fuel costs and late delivery of the new Jumbo ferry.
- \$3.5 million is provided for ferry terminal preservation projects.
- \$3 million is provided for preconstruction activities related to construction of four passenger-only ferries and associated docking facilities.
- \$2.7 million is provided for the Commercial Vehicle Information Systems and Networks (CVISN) program transferred from WSP to DOT.

- \$2.5 million is provided for the commute trip reduction program from the high capacity transportation account.
- \$4 million is provided from the high capacity transportation account for facility improvements to match the federal commitment to improve passenger rail service between Seattle and Vancouver, B.C.
- Funding is reappropriated for highway, ferry and aviation programs.
- \$1 million is provided for increased noxious weed control along state highways.
- \$0.5 million is provided for the rural mobility program.

DOT items contingent on the passage of the referendum - EHB 2894 (\$44.2 million)

- \$0.5 million is provided for freight rail branch line rehabilitation;
- \$6 million is provided for passenger rail infrastructure and facilities;
- \$0.4 million is provided for SR 2 safety improvements;
- \$0.4 million is provided for Port of Benton study;
- \$0.8 million is provided for the Spokane Street median barrier (Seattle);
- \$0.2 million is provided for a railroad crossing in Steilacoom;
- \$0.6 million is provided for SR 166, Ross Point slope repair; and
- \$0.3 million is provided for SR 536, Memorial Highway Bridge.
- \$35 million is placed in reserve for preconstruction activities.
- **The total supplemental budget for DOT is \$183.5 million in transportation funds (including items contingent on passage of the referendum).**

WSP Current Law

- \$302,000 is provided for Medicare coverage for commissioned officers hired prior to 1986 if the majority of the officers vote for the coverage.
- \$1,580,000 is provided for transportation's share of the WSP data center shortfall and transition costs to the DIS data center.
- \$289,000 is provided for vehicle license fraud enforcement.
- \$350,000 is provided for the Vancouver commercial vehicle enforcement inspection building.
- \$461,000 funds the WSP portion of the fuel tax enforcement program.

- \$26,000 is provided for fiscal year 1999 vehicle inspection number (VIN) lane costs.
- \$1 million in reversions and savings is realized.
- General fund activities transferred to the transportation fund in 1993-95 are returned to the general fund. The general fund is to assume a portion of the Technical Services Division and the Communication Division of the WSP.
- The general fund is assuming \$12.4 million in general fund activities.
- **The total supplemental budget for WSP is \$2 million in transportation funds, excluding the general fund transfer.**

DOL Current Law

- \$339,000 is provided for the Year 2000 conversion effort.
- \$2.8 million is provided to replace the Wang Imaging System instead of spending \$1.2 million to bring an obsolete system into Year 2000 compliance.
- \$331,000 and 2.2 full time equivalents (FTEs) are provided for additional staffing in Vancouver and Yakima.
- \$2.1 million is provided to implement proposed legislation, including \$1.5 million to implement proposed driving under the influence (DUI) legislation.
- \$4.4 million in reversions and savings is realized.
- **The total supplemental budget for DOL is \$2.6 million in transportation funds.**

General Government Agencies

- \$10,000 is provided for the Department of Agriculture to conduct laboratory analysis of diesel fuel samples to detect illegally-blended diesel fuel.
- The Office of Financial Management and the Department of Community, Trade and Economic Development are transferred to the general fund.

Legislative Transportation Committee

- \$1 million is provided for the creation of a special panel to conduct an analysis of existing transportation funding mechanisms and to propose solutions for long-term financing of transportation.

- \$150,000 is provided for a performance and management audit of selected public transportation systems to determine their effectiveness and efficiency.
- **The total supplemental budget for LTC is \$1.2 million in transportation funds.**
- **Total 1998 Supplemental Transportation Budget - \$179.3 million**